

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

ALTANA PHARMA AG and WYETH,

Plaintiffs,

v.

TEVA PHARMACEUTICALS USA, INC.
and TEVA PHARMACEUTICALS
INDUSTRIES, LTD.,

and

SUN PHARMACEUTICAL INDUSTRIES,
LTD. and SUN PHARMACEUTICAL
ADVANCED RESEARCH CENTRE, LTD.,

Defendants.

ORDER ON ORAL MOTION

CONSOLIDATED
CIVIL ACTION NOS.
04-2355 (JLL) (CCC)
05-1966 (JLL) (CCC), &
05-3920 (JLL) (CCC)

ALTANA PHARMA AG and WYETH,

Plaintiffs,

v.

KUDCO IRELAND, LTD., KREMERS
URBAN DEVELOPMENT CO., SCHWARZ
PHARMA, INC., SCHWARZ PHARMA USA
HOLDINGS, INC., and SCHWARZ
PHARMA AG

Defendants.

CIVIL ACTION NO.
06-CV-3672 (JLL) (CCC)

SCHEDULING ORDER

THIS MATTER having come before the Court for a status conference on October 26, 2006; and counsel for the parties having conferred and agreed to this form of Order and good cause appearing;

IT IS on this 15th day of November, 2006;

ORDERED that fact discovery shall end on January 15, 2007;

ORDERED that the parties shall serve expert reports on which the party bears the burden of proof on **February 6, 2007**;

ORDERED that the parties shall serve responsive expert reports on **March 9, 2007**;

ORDERED that the parties shall serve reply expert reports on **March 30, 2007**;

ORDERED that expert depositions shall begin on **May 1, 2007**;

ORDERED that expert depositions shall end on **June 15, 2007**;

ORDERED that Plaintiffs shall produce for deposition for a second time any and all witnesses should such a second day of deposition appear reasonably necessary to the Court in view of the resolution by the Court of any motions or discovery disputes, or in view of the inability by the defendants to reasonably complete their examination of the witnesses in a single deposition day session;

ORDERED that one deposition of either Drs. Kohl, Senn-Bilfinger or Sturm shall proceed during the month of November 2006, and that, if possible, another of the depositions shall take place during the first full week in December;

ORDERED that on or before **November 9, 2006**, Plaintiffs shall either provide documentation from a health care provider establishing that Dr. Kromer's health condition prevents him from flying at this time, or shall advise the Court that more time is needed to produce such information;

ORDERED that Plaintiffs shall reserve **December 13, 14 and 15, 2006** for fact depositions of Profs. Heintze, Figala and Kromer in Germany;

ORDERED that Plaintiffs shall file and serve their opposition to defendant Sun's letter motion to vitiate attorney-client privilege on **November 9, 2006**;

ORDERED that defendant Sun shall file and serve their reply in support of its letter motion to vitiate attorney-client privilege on **November 16, 2006**;

ORDERED that a status teleconference shall be conducted before the undersigned at **4:00 p.m. on Friday, November 3, 2006**.

s/Claire C. Cecchi

Honorable Claire C. Cecchi, U.S.M.J

Doc. No. 222331